

"Under the Universal Declaration of Human Rights (Art. 5), under the International Covenant of Civil and Political Rights (Art. 7) and, under the UN Anti Torture Resolution (3059), the right not to be tortured is one from which no derogation is permissible. Torture is outlawed under the common law of mankind. This being so, its use properly considered is a crime against humanity".

UNIVERSAL DECLARATION OF HUMAN RIGHT

Preamble

"Whereas, recognition of the inherent dignity and of the equal and of inalienable rights of all members of human family is the foundation of freedom, justice and peace in the world. Whereas, disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind. Whereas, it is essential, if man is not to be compelled to have recourse as the last resort, to rebellion against tyranny and oppression, the human rights shall be protected by the rule of law. Whereas, the people of the United Nations have in Charter reaffirmed their faith in the fundamental human rights and, in the dignity and worth of the human person and, Whereas, no one shall be subjected to cruel, inhuman and degrading treatment or political abuse and torture".

AN URGENT ACTION PETITION

By an Interfaith Coalition

The United Nations Secretary General, The UN Commissions and Committees on Human Rights, The UN International Commissions on the Rights of Dissidents and the Prisoners of Conscience, The High Commissioner on Human Rights, Geneva, Switzerland, The International Court of Justice Hague, the Netherlands, The International Interfaith Leagues, The International Islamic Organizations, The Foreign Embassies, The Amnesty International, The American Government, the White House, the Congress, the Senate, and the House of Representatives. And, the free and freedom loving peoples and media.

August 18, 2011 marked the 36th Anniversary of a Remarkable, Reverberating and Historical Struggle by an educated and conscientious immigrant Dr. Amir H. Shervin. Dr. Shervin is an Iranian Dentist & Oral Surgeon. He is also a humanitarian and a prolific Poet and Activist. The anthology of his poetry and literary works are published in three books "Echo", "The True Coin of Love" and "The Spring Melodies" of which the third book is published in Sunnyvale, California (2005). His English versification and poetry, though few and selective have received adoration and praise in the literary circles, Many are pleased with the song he composed on a melody sent to him by an Iranian Master Musician in Paris, France, which he was inspired to write for Jesus Christ, namely "The Elixir of Life".

Dr. Shervin is a member of a respected medical-cum-literary family. Dr. Shervin's father was a reputed dentist and journalist, whom he assisted years before entering college to pursue his higher education and professional training. In Recognition of his Resounding Struggle, an Interfaith Coalition Decorated Dr. Amir Shervin with **A Medal of Courage, Fortitude and Honor**, on the 20th Anniversary of his Remarkable, Unforgettable and Epochal Struggle, on the 28th Day of February 1996 (about 16 years ago).

A POPULAR OUTCRY FOR JUSTICE.

Over 30 years of documented violations and political atrocities, abuse and torture.

We are the members of an Interfaith Coalition, teachers, lawyers, doctors, engineers, clergy and journalists, living and doing business in various cities and counties in the state of California or elsewhere. We believe in the United Nations' Charter of Human Rights and respect for the dignity and worth of the human person. Specifically, We believe in fairness, equity and justice and the right of any person to seek relief from any forms of discrimination, without the fear of retribution, repercussion and reprisal.

We the Petitioners, will and do hereby voice our utmost disappointment in our federal and state government, for their utter disregard and refusal, to hear a wide spread public outcry for justice and to address numerous public pleadings and petitions during the past over twenty years, regarding a chronicle of investigated and recognized violations and politically motivated abuse and torture against a highly educated and conscientious immigrant Dr. Amir H. Shervin.

We believe, that the denial and deprivation of Dr. Shervin from his professional license and thus from his practice and livelihood by the state of California was vindictive and retaliatory in nature and intent

We believe, and are outraged by the recurring invasions of Dr. Shervin's home by the California State Police. We have evidence to substantiate the fact, that Dr. Shervin had prevailed against the state licensing board in the State Superior Court and, against the State Police in the Federal District Court and in the Ninth Circuit Court of Appeals. However, the police staged new raids on Dr. Shervin's home in clear violation of such court findings, rulings and orders.

The Interfaith Coalition reported the problem to the White House and the U.S. Department of Justice. The Department stated that **"this was a state matter and not a federal matter"**. In response, coalition, produced a letter signed by the Governor of California, Pete Wilson, alleging that **"this was a federal matter and not a state matter"**. This communication remained unanswered to date.

We believe, and affirmatively allege that the state and its defense counsels and lobbyists in consort with their own favoring judges, subverted courts and thwarted justice, during the past three decades, Resulting in the miscarriage of justice, manifest injustice and obstruction of justice.

We believe, and affirmatively allege that the viciously influential state defendants and their team of legal-judicial mercenaries systematically and methodically circumvented the administration of justice by subterfuge and third degree methods, denying and depriving this man of his right of a jury trial during the past over 30 years. Numerous public, media, legal and medical professionals' supports for a court appointment of counsel, for a grand jury investigation and/or for a public trial by jury all were unfairly denied.

We believe, that a 1985 trial and its resultant order by **Judge Roy L. Wonder** in favor of Dr. Shervin and against the defendant Licensing Board, was neither complied with nor carried out and nor set aside to date. Similarly, Dr. Shervin's two separate law suits against the UCSF and counterparts were concertedly dismissed.

We believe, that Dr. Shervin's several legal actions and suits against the San Francisco Police, the Novato Police and the Newark Police, were all dismissed, invidiously and injudiciously. Briefly, Dr. Shervin and his family and children were denied and deprived from their rights of having their day in court.

We believe, and affirmatively allege that the recurring invasions of Dr. Shervin's home during the past three decades, including the one on December 7, 2006, with brutal assault and battery upon him and his then 15 years old daughter and their procreated and totally false and illegal detention by the Alameda Sheriff Department, based upon false assertion and dishonest allegation and, the related ruling by the Fremont Court of resisting arrest, after the father and his minor daughter sitting next to each other at their home were assaulted and battered by several hostile police perpetrators. Medical reports indicated the possibility of a skull fracture, as the result of the brutal manhandling and use of excessive force by the police.

We believe, that this invasion of Dr. Shervin's home on December 7, 2006, was premeditated and procreated by the office of Senator Barbara Boxer, the police were retaliating, for Dr. Shervin's several prior complaints and law suits against said police departments in both the State and Federal Courts.

These home invasions were without a probable cause and/or a warrant, rather, in clear and evident violations of said courts' own prior rulings and orders against the police for their prior such unwarranted raids.

We believe, that the federal court had ruled against the police and had actually calendared the case for a trial by jury. The court had found the police to be in clear contempt of the court's own a discovery order, scheduled for a hearing to compel defendants' compliance with said order. Defense "sitting in a sinking boat", using the state's influence and lobbying dismissing the case shortly before its' a Calendared Jury Trial.

We believe, that the dismissal with prejudice, itself was overruled by the Ninth Circuit Court of Appeals, not only setting aside said concerted and conspiratorial dismissal but, also "disqualifying" the federal judge **Samuel Conti** who issued it, and remanding the case to the lower court for trial. However, it is the most appalling, that not withstanding the 9th Circuit ruling above against the state police, shortly after the rendition of said order, the state by its police staged the most violent new raid on Dr. Shervin's home in the city of San Francisco, by at least ten armed police and that too, during the eve of Christmas and while family were lighting candles around the Christmas tree to celebrate the holy season.

The police agents were extremely unruly and violent. They pulled Dr. Shervin's then 2 year old baby girl (much frightened and screaming) from his arms and throwing her down on the floor, assaulted and battered Dr. Shervin, while two other assailants were restraining the baby girl's mother tight on the sofa.. What happened next is beyond this report. This resulted in the filing of a new law suit again the police in the Federal Court.

We believe, the community and the legal professionals' efforts to locate a competent lawyer to represent Dr. Shervin and his daughter's law suit against the police in federal court, was interfered with and halted by the state and counsels, actually preventing professor **Carter White** from representing this case(s), claiming that Dr. Shervin and his teen age daughter could litigate their claims in federal court by themselves, after 35 years of indescribable and immeasurable suffering, and that too against a dozen or more state defense attorneys.

We believe, that during the month of January 2001, the government assigned Judge Luie Q. Lott, to make an evaluation of Dr. Shervin's claims, issued a statement, declaring the case, among other things in violation of 18 USC S. 1962 or Organized Crime Act and, the Racketeering and Influential Corrupt Organization Act (Rico Predicate Act). Said judge then estimated a non-exclusive perceived damages for the then 25 years of pain and suffering Dr. Shervin had been subjected to, in the sum of \$66,204,000.00. However, to the community's total astonishment, Judge Lott disappeared without a trace, shortly afterward.

Therefore, We the petitioners in pursuit of the interfaith communities all such prior petitions herein demand: 1) For a Grand Jury Investigations by the Justice Department. 2) For a public jury trial and determination of all claims and causes of action brought by Dr. Amir Shervin against the state of California defendants UCSF, BDE and UOP from 1979 to the present 2011. 3) For a prompt trial by jury of any and all claims of Dr. Shervin and his family and children against the state of California police department, past or present. 4) For Immediate and unconditional release or issuance of Dr. Shervin's professional license confiscated by the California Licensing Board. 5) For a monetary compensations in every police invasion of Dr. Shervin's home with its' underlying other offenses 6) For full restitution for the loss of income, the costs of litigations and, 7) For a formal apology by the state, for its' failure or refusal to protect an educated immigrant and his family, children and other loved ones, from over three decades of the community recognized violations, deprivation, and travesty of justice abuses and atrocities. Or, in the alternative, for a fair, full and meaningful settlement out of court.

Furthermore, We will and do hereby petition the United Nations Commissions and Committees on Human Rights, the International Court of Justice, and all those organizations and offices addressed in the front page of this petition, the dimension and enormity of this struggle and its' impact on the lives of an educated immigrant, who came here seeking his so called American dream. Now, 36 long years later, this man and his American born children are sitting on their own cold ashes and, living a life far below their human dignity.

We understand that during the month of March 2011 and subsequently in September 2011, Dr. Shervin submitted two separate such reports to the United Nations' Office of Secretary General Ban-ki-Moon and, to the Office of High Commissioner on Human Rights, in Geneva, Switzerland. When no response received, on said office's advice, Dr. Shervin once more submitted a new package of reports to the office of the UN Assistant

Secretary General **Ivan Simonovic**, which office claimed they had forwarded the reports to the High Commissioner For Human rights in Geneva.. However, despite the fact, we had emphasized the utter direness and urgency of these matters, we have not received any response from either of the two offices yet. Consequently, we are issuing the instant petition, as a follow up to the Interfaith Coalition's own numerous prior petitions in this case.

Meanwhile, We further require and request that Dr. Shervin and his children be provided adequate financial assistance, during the interim period that these Public Petitions are under consideration, as pursuant to over thirty five long years of intense struggle and court battles, the family is impoverished and presently living a severely marginalized living far below their status and dignity.

We intend to set up a web site that tells Dr. Shervin's Life Story, where all can see this remarkable struggle. **please observe one minute of silence in respect of the man and his resounding struggle.** And, please distribute this declaration in your area and send a copy to the local politicians and media. We ask any human and civil rights concerned organizations, groups, individuals and Media to help and support this Interfaith Coalition efforts seeking justice in this case.

It is noteworthy, that the latest Interfaith Petition to President Barack Obama and, to the Governor of California Jerry Brown, that carried 156 pages of supportive evidence, have remained yet to be responded to. The original petition was signed and supported by 25 Interfaith Leaders and over 1200 concerned citizens.

We call upon all freedom loving organizations, groups and individuals: To write, phone, fax or email your local media and politicians, to learn of this landmark, reverberating and historic struggle, and to come on the side of this ultimately abused and tortured immigrant and his hurting and grieving family and children. They urgently need your support.

All inquiries and/or assistance to be addressed to the Interfaith Coordinator Rev. Robert James Current at www.RevJC@comcast.com. Or, you may reach Dr. Amir H. Shervin, at www.drshervinfoundation@comcast.com. Tel: 415-234-6367 and 415-532-4724.

We need your compassion, activism and generous assistance (legal, political, financial and media coverage).

PLEASE SIGN AND SUPPORT THIS PETITION

Full Name

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